IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

COCP No.617 of 2006
Date of decision: October 19, 2006.

Sushila Devi

...**Petitioner(s)**

v.

R.S. Gujral & Ors.

...**Respondent(s)**

Present: Shri Rajinder Goayl, Advocate for the petitioner.

Shri R.D. Sharma, Dy. Advocate General, Haryana for the respondents.

Surya Kant, J. (Oral)

The petitioner filed CWP No.16502 of 2002 which was allowed by this court on September 26, 2005 with a direction to re-compute the retiral benefits after counting the period of service rendered by the petitioner as a Hindi Teacher.

Alleging non-compliance of the aforesaid order, this contempt petition has been filed.

In response to the show cause notice, Mr. K.K. Khandelwal, IAS, Commissioner-cum-Director General School Education, Haryana has filed his affidavit. As per the averments made in the affidavit, revised pension orders have been issued in favour of the petitioner after adding the period of her service as a Hindi Teacher. It is averred that necessary sanction for the grant of revised pension, gratuity and commutation of pension have also been accorded vide letters dated 28.9.2006, copies of which have been appended as Annexures R-2 to R-4.

Learned Counsel for the petitioner, on the other hand, states that neither the petitioner has received the arrears nor her pension has been correctly re-computed.

Learned State Counsel, on instructions, states that the arrears are to be received by the petitioner from the Treasury Officer, to whom necessary directions have been issued vide memo Annexures R-2 to R-4. He also asserts that the revised pension of the petitioner has been correctly re-fixed.

After hearing Learned Counsel for the parties and having regard to the fact that the respondents have apparently taken necessary steps to comply with the order passed by this Court, this petition is disposed of with a direction to the Treasury Officer concerned that if the petitioner approaches him, necessary payment shall be released to her forthwith.

As far as the correct re-computation of the pension is concerned, the petitioner will be at liberty to submit a representation in this regard to the competent authority and if any such representation is made by her, the same shall be considered in accordance with law within a period of three months from the date it is received and in reply thereto, the respondents shall also send the details regarding re-fixation of the revised pension. If the petitioner would still beleft with any grievance, she shall be at liberty to have redressal thereof before an appropriate forum, if so advised.

Disposed of.

Rule discharged.

October 19, 2006. [**Surya Kant**]
kadyan **Judge**